

NO. 23701

IN THE SUPREME COURT OF THE STATE OF HAWAII

BARRY A. FUKUNAGA, Appellant-Appellee

vs.

DEPARTMENT OF TRANSPORTATION,
State of Hawai'i Appellee-Appelalnt

and

CIVIL SERVICE COMMISSION,
State of Hawai'i Appellee-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 00-1-00525)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

Upon review of the record, it appears that:

(1) judgment has not been entered on the circuit court's July 27, 2000 order, as required by HRCP 58 and 72(k); and, thus, (2) this appeal is premature and we lack jurisdiction. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994). Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, December 26, 2000.